

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Petitioner,

v.

MICHAEL JASON LAYES a/k/a/ MIKEY
DIAMOND STARRETT,

Respondent.

CASE NO. 3:21-cr-05334-DGE

ORDER DENYING
GOVERNMENT'S MOTION FOR
COMPETENCY EVALUATION

Presently before the Court is the government's motion requesting the Court to order Defendant Michael Jason Layes a/k/a Mikey Diamond Starrett to undergo a competency evaluation and hearing. Dkt. No. 33.

At any time after the commencement of a prosecution for an offense and prior to the sentencing of the defendant, or at any time after the commencement of probation or supervised release and prior to the completion of the sentence, the defendant or the attorney for the Government may file a motion for a hearing to determine the mental competency of the defendant. 18 U.S.C. § 4241(a). The court shall grant the motion, or shall order such a hearing on

1 its own motion, if there is “reasonable cause to believe that the defendant may presently be
2 suffering from a mental disease or defect rendering him mentally incompetent to the extent that
3 he is unable to understand the nature and consequences of the proceedings against
4 him or to assist properly in his defense.” *Id.*

5 On November 10, 2021, this Court held a hearing pursuant to 18 U.S.C. § 4247(d). The
6 Court, after hearing argument and evaluating all the available evidence, determined that
7 Defendant is not presently suffering from a mental disease or defect rendering him mentally
8 incompetent to the extent that he is unable to understand the nature and consequences of the
9 proceedings against him or to assist properly in his defense.

10 Accordingly, the government’s motion for a competency evaluation (Dkt. 33) is
11 DENIED.

12
13 Dated this 10th day of November, 2021.

14
15 

16 _____
David G. Estudillo
United States District Judge